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**UNITED STATES DISTRICT COURT**

**District of Minnesota**

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Keith Guggenberger

**JUDGMENT IN A CIVIL CASE**

Plaintiff(s),

v.

Case Number: 16-cv-2021 JRT/LIB

Starkey Laboratories, Inc.

Defendant(s).

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED THAT:**

1. Plaintiffs' Motions to Remand to State Court [Case No. 16-2021, Docket No. 11; Case No. 16-2022, Docket No. 9] are GRANTED in part and DENIED in part as follows:

a. The motions to Remand to State Court [Case No. 16-2021, Docket No. 11 and Case No. 16-2022, Docket No. 9] are GRANTED.

b. The motions for an award of costs and fees [Case No. 16-2021, Docket No. 11 and Case No. 16-2022, Docket No. 9] are DENIED.

c. Guggenberger v. Starkey Laboratories, Inc. [Case No. 16-2021] and Miller v. Starkey Laboratories, Inc. [Case No. 16-2022] are REMANDED to the State of Minnesota District Court, Fourth Judicial District, County of Hennepin.

2. Defendant Starkey Laboratories, Inc.'s Motions to Stay Litigation, or Alternatively, to Stay Discovery [Case No. 16-2021, Docket No. 28] [Case No. 16-2022, Docket No. 21], the United States of America's Motions for Permissive Intervention [Case No. 16-2021, Docket No. 33] [Case No. 16-2022, Docket No. 26], and the United States of America's Motions to Stay Discovery [Case No. 16-2021, Docket No. 34] [Case No. 16-2022, Docket No. 27] are DENIED as moot.

Date: 12/30/2016

RICHARD D. SLETTEN, CLERK

s/Katie Thompson

(By) Katie Thompson, Deputy Clerk